

REMARKS

This paper is responsive to the Office Action dated July 1, 2008. Claim 1 is amended. Claims 1 - 7 are in the application.

With respect to the amendments, given that the claim only relates to compounds wherein n is 0 or 1 – it is submitted that it is clear that n cannot be 2. The n values provided in the original disclaimer refer to the total number of saccharide groups present in the compound. However, as can be seen in formula I, the n value actually refers to the number of saccharide units in addition of one (thus wherein n is 0 the monosaccharide is designated and wherein n is 1 the disaccharide is designated). Thus, the n values referred to as “1” in the original disclaimer have been designated “0” and n values referred to as “2” have been designated “1” – as indicated above.

For reasons of clarity the part of the disclaimer referring to a B2a or B2b derivative has been deleted - since the claim does not relate to such a derivative.

Claims 1, 2, 6 and 7 stand rejected under U.S.C 102(b) as being anticipated by Linn et al. (US 5,169,839). Applicants respectfully traverse.

More specifically, the Examiner points out in the Office Action that Linn et al. disclose an avermectin derivative having antiparasitic activity “wherein R6 represents a loweralkoxymethyl group” (e.g. compound in column 2).

While this may be the case, Applicants points out that in the avermectin derivative taught by Linn R4 and R5 are independently hydrogen, methyl, provided that both R4 and R5 are hydrogen only when R6 is other than hydroxyl and provided that both R4 and R5 are not simultaneously methyl; and (column 2, lines 37 – 44).

With regard to the compounds of the present invention, as defined by formula (I), it can be seen that:

- (i) the position corresponding to R6 is other than hydroxyl but R4 and R5 are not hydrogen
- (ii) the positions corresponding to R4 and R5 are both methyl.

Accordingly, it is submitted that the disclosure of Linn et al. does not in fact anticipate the compounds of the present invention – and indeed teaches away from the present claims. The Examiner is requested to reconsider and to withdraw the rejection under § 102(b).

Applicants note with appreciation the Examiner's indication of allowable subject matter in claims 3 – 5.

In view of the foregoing, Applicant submits that the subject matter of the claims 1 – 7 is patentable and that such claims are in condition for allowance. Reconsideration and withdrawal of all rejections are respectfully requested, along with the issuance of a Notice of Allowance.

Respectfully submitted,

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Date: December 1, 2008